

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

DAQUARIUS WRIGHT

PLAINTIFF

v.

No. 4:23CV220-DMB-RP

SHERIFF JAMES HAYWOOD, ET AL.

DEFENDANTS

PROCESS ORDER

The court has reviewed the complaint in this case and finds that process should issue for defendants Sheriff James Haywood, Deputy Sheriff John Henry White, and Chief Marvin Flowers.

It is ORDERED:

(1) The clerk of the court will issue process for **Sheriff James Haywood, Deputy Sheriff John Henry White, and Chief Marvin Flowers**, along with a copy of: (a) this order; (b) the Complaint; (c) supporting documents; (d) the order permitting the plaintiff to proceed *in forma pauperis*; and (e) the form for consenting to Magistrate Judge jurisdiction or declining it.

(2) The United States Marshal Service will serve process upon these defendants under to 28 U.S.C. § 1915(d), using good faith efforts to identify and locate the proper person and obtain service by all approved alternative means as provided by F.R.Civ.P. 4 and Miss.R.Civ.P. 4 if service by mail is unsuccessful. If a defendant is located in another state, the Marshal Service must obtain service by that state's law governing service of process.

(3) The summons and returns shall be filed with access limited to the court and parties only.

(4) Defendants **Sheriff James Haywood, Deputy Sheriff John Henry White, and Chief Marvin Flowers** shall file their answers or other responsive pleadings in accordance with

the Federal Rules of Civil Procedure and the Local Rules of this Court.

(5) A scheduling order will be issued once the defendants have answered; the parties may not submit any discovery requests until the scheduling order has been entered.

(6) In the event any damages or other moneys become payable to or for the benefit of the plaintiff as a result of this litigation, whether by way of satisfaction of a judgment, compromise settlement, or otherwise, the plaintiff remains liable to the United States for the reimbursement of all court costs, fees and expenses which he has caused to be incurred in the course of this litigation, and the United States will have a lien against any damages or other moneys until the United States has been fully reimbursed for those court costs, fees and expenses by payment of them into the court.

(7) This Order allowing process to issue against the Defendants does not reflect any opinion of the Court regarding the merit of the claims in the Complaint.

(8) The plaintiff must acknowledge receipt of this order by signing the enclosed acknowledgment form and returning it to the court within fourteen (14) days of this date.

(9) The plaintiff's failure to keep the court informed of his current address or to comply with the requirements of this order may lead to dismissal of his lawsuit under Fed. R. Civ. P. 41(b), for failure to prosecute and failure to comply with an order of the court.

SO ORDERED, this, the 21st day of November, 2024.

/s/ Roy Percy
UNITED STATES MAGISTRATE JUDGE